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PROTECTION OF MINORITIES

Written statement submitted by the International Human Rights Association of American Minorities, a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[8 August 1994]

The situation of the untouchables of South Asia

1. This document is submitted to the Sub-Commission in keeping with the need to inform the United Nations of the explosive situation in India due to racism and racial discrimination practised against untouchables, or dalits, by the majority high caste Hindus.

2. The caste system and the practice of untouchability is derived from the Hindu religious belief that "all human beings are not born equal". It is a four-tier system wherein Brahmin (priest), kshatriya (rulers), vaisha (businessman), sudra (labour) are accorded ascending power and descending respect, respectively. The untouchables, or dalits are the "out-castes" of society, the lowest of the low. For the last 2,000 years these people have been treated as sub-human beings, live outside of villages, and barely survive by doing filthy, dirty jobs like cleaning latrines, carrying human excreta on their heads and cleaning streets, or as landless labourers, bonded labourers and child labourers.

3. In villages, where 80 per cent of the Indian population lives, their touch pollutes the water, hence they beg even for water. They are prohibited from socializing with high caste Hindus because of the notion of pollution. If they protest their human rights violations they are beaten, killed, their children and women raped, their houses burned. The Government of India admitted in the 1991-1992 report of the Commission for Scheduled Castes and Scheduled Tribes that there were 21,360 human rights violations. The dalits of India are a scheduled caste. The total population of dalits in India is 200 million and in South Asia it is 250 million. Wherever Hindu people live in South Asia, including Nepal, Sri Lanka, Bangladesh, Pakistan, the caste system is practised and untouchability too.

4. The condition of untouchables in Nepal is equally pathetic. Female children are forced into prostitution. There are 37,000 devadasis (the maidens of God) known in Karnataka and Andhra alone, as per recent statistics of the Central Advisory Committee set up by the Human Resources Development Ministry. The Operation Research Group reports that child labour in India may reach 44 million, the highest in the world.

5. The Peoples Union for Civil Liberties, a highly respected NGO in the field of human rights, reported in their May 1994 bulletin their findings for Gulbarga district, as an example, which applies to every district in India:

(a) Police have refused to give protection to dalits even when their lives are in danger. Subsequently, they were attacked and killed;

(b) Culprits are not charged in most cases, including guilty police and bureaucrats;

(c) There has been collusion between police and vested interests in villages to suppress the investigation of atrocities against dalits. Many times cases are filed against them at the instigation of local high caste Hindus;

(d) Contempt of court by ignoring judicial orders to hospitalize injured dalits;

(e) Caste animus and hatred.

6. Amnesty International's report of 1993 reinforces the findings: "Women were often raped in police cells and in army custody. Most of the victims were poor, often illiterate ... among the most underprivileged ... of the society: the scheduled castes and scheduled tribes" (p. 155).

7. The Constitution of India contains all the provisions for implementing justice, equality and fraternity. But 15 per cent of high caste Hindus control 85 per cent of bureaucracy, police, judiciary, media and money. They have no desire to share the power or lose these free slaves of Hindu society. This is against the fundamental human rights declarations of the United Nations as well as the International Convention on the Elimination of All Forms of Racial Discrimination, of which India is a signatory.

8. At the Asian preparatory meeting for the World Conference on Human Rights in Bangkok in March 1993, NGOs of the Asian and Pacific region adopted a resolution stating that the United Nations should take appropriate steps to eradicate the practice of untouchability, which is a crime against humanity, and discrimination on the basis of caste, religion, and other factors by the year 2000, failing which sanctions will be imposed, keeping in view that the development projects financed by UNDP and the international financial institutions should not be affected.

9. These millions of dehumanized dalits are reaching the limits of tolerance and a very explosive situation exists in India unless the United Nations looks into protection of these minorities and elimination of racial discrimination against them. It would be detrimental to world peace if the outbreak of civil war took place in India.

10. Therefore, the Special Rapporteur, Mr. Maurice Glele-Ahanhanzo, who has been appointed to examine contemporary forms of racism, racial discrimination, xenophobia and related intolerances, is urged to visit India for a study of untouchability and racism as soon as possible.